

initial Entitlements which were approved by the Commission in Texas Eastern's Order No. 636 restructuring proceedings in Docket No. RS92-11, *et al.*

In order to reflect the changes discussed above, Texas Eastern is submitting Tenth Revised Sheet Nos. 550, 551, 555, 557, 558, 564, 565, 571, 572, 577 and 580 and Eleventh Revised Sheet Nos. 549, 556, 563 and 570 to reflect necessary modifications to Sections 9.2, 9.3, 9.4, 9.5 of the General Terms and Conditions of its FERC Gas Tariff, Sixth Revised Volume No. 1.

The proposed effective date of the tariff sheets is November 1, 1995, as stated in Section 9.1 of Texas Eastern's FERC Gas Tariff, Sixth Revised Volume No. 1.

Texas Eastern states that copies of the filing were served on firm customers of Texas Eastern and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before September 14, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene.

Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95-22669 Filed 9-12-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EL95-76-000]

Southwestern Public Service Company; Notice of Filing

September 7, 1995.

Take notice that on August 25, 1995, Southwestern Public Service Company tendered for filing a petition for waiver of the Commission's fuel clause regulations to allow the flow-through of buyout and other related costs associated with the purchase of TUCO Inc.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules

211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before September 25, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95-22670 Filed 9-12-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER95-430-002, *et al.*]

Phibro Inc., *et al.*; Electric Rate and Corporate Regulation Filings

September 5, 1995.

Take notice that the following filings have been made with the Commission:

1. Phibro Inc.

[Docket No. ER95-430-002]

Take notice that on August 16, 1995, Phibro Inc. tendered for filing a Notice of Change in Status in the above-referenced docket.

2. Pacific Gas and Electric Company

[Docket No. ER95-1341-000]

Take notice that on August 28, 1995, Pacific Gas and Electric Company (PG&E), tendered for filing an amendment to its July 6, 1995 filing in this docket of a rate change to Rate Schedule FERC No. 79, between PG&E and the Western Area Power Administration (Western).

PG&E's initial filing in this docket submitted cost based rates for trued up previous billings made for capacity and energy sales from Energy Account No. 2 during 1993, which were made using rates based on estimated costs. At the request of FERC Staff, PG&E is amending its filing to include a calculation of certain refunds, including interest, resulting from this rate change.

Copies of this filing have been served upon Western and the California Public Utilities Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

3. South Carolina Electric & Gas Company

[Docket No. ER95-1428-000]

Take notice that on August 7, 1995, South Carolina Electric & Gas Company

tendered for supplemental information in the above-referenced docket.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

4. New England Power Company

[Docket No. ER95-1472-000]

Take notice that on August 29, 1995, New England Power Company (NEP), tendered for filing a Stipulation and Agreement and amended supplements to five Municipal Power Contracts: (1) Unit Power Contract dated January 13, 1994, with the Town of Holden Municipal Light Department; (2) Unit Power Contract dated January 20, 1994, with the North Attleborough Electric Department; (3) Unit Power Contract dated January 11, 1994, with the Hingham Municipal Light Plant; (4) Unit Power Contract dated January 13, 1994, with the Groton Electric Light Department; and (5) Unit Power Contract dated January 14, 1994, with the Middleton Municipal Light Department.

NEP states that the purpose of this filing is to modify its initial proposal concerning rate of return on common equity that may be charged under the contracts. This modification is a result of an agreement between NEP and the five municipal purchasers. NEP requests that its revised proposed rate of return become effective on the later of October 1, 1995 or the first day of the calendar month following the date of commencement of operations at the repowered Manchester Street facility.

NEP states that copies of its filing have been provided to the five municipal purchasers and to state regulatory authorities in Massachusetts and Rhode Island.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

5. Florida Power Corporation

[Docket No. ER95-1536-000]

Take notice that on August 14, 1995, Florida Power Corporation tendered for filing a tariff providing for comprehensive transmission service. Florida Power states that its filing modifies its Tariff No. 2 that was filed in Docket No. ER95-634-000 and that its tariff is consistent with the draft pro forma tariffs the Commission included with the proposed rule in "Promoting Wholesale Competition Through Open-Access Non-Discriminatory Transmission Services by Public Utilities," Docket No. RM95-8-000, IV FERC Stats. and Regs. ¶ 35,514 (1995). Florida Power asks the Commission to consolidate this docket with Docket No.

ER95-634-000 and set an effective date for this filing of November 1, 1995.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

6. Missouri Public Service Company

[Docket No. ER95-1608-000]

Take notice that on August 22, 1995, UtiliCorp United Inc. tendered for filing on behalf of its operating division, Missouri Public Service, a Service Agreement under its Power Sales Tariff, FERC Electric Tariff Original Volume No. 10, with *National Electric Associates Limited Partnership*. The Service Agreement provides for the sale of capacity and energy by Missouri Public Service to *National Electric Associates Limited Partnership* pursuant to the tariff, and for the sale of capacity and energy by *National Electric Associates Limited Partnership* to Missouri Public Service pursuant to *National Electric Associates Limited Partnership's* Rate Schedule No. 1.

UtiliCorp also has tendered for filing a Certificate of Concurrence by *National Electric Associates Limited Partnership*.

UtiliCorp requests waiver of the Commission's Regulations to permit the Service Agreement to become effective in accordance with its terms.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

7. Arkansas Power & Light Company, et al.

[Docket No. ER95-1609-000]

Take notice that on August 22, 1995, Entergy Services, Inc. (Entergy Services), on behalf of Arkansas Power & Light Company, Gulf States Utilities Company, Louisiana Power & Light Company, Mississippi Power & Light Company, and New Orleans Public Service Inc., tendered for filing a Transmission Service Agreement (TSA) between Entergy Services and Catex Vitol Electric, LLC (Catex Vitol). Entergy Services states that the TSA sets out the transmission arrangements under which the Entergy Operating Companies will provide Catex Vitol non-firm transmission service under their Transmission Service Tariff.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

8. Northern States Power Company (Wisconsin)

[Docket No. ER95-1638-000]

Take notice that on August 28, 1995, Northern States Power Company, Eau Claire, Wisconsin (NSPW), tendered for filing the following documents:

A. An Amended and Restated Power and Energy Supply Agreement by and between the Village of Cadott, Wisconsin, and NSPW dated August 7, 1995. The Village currently purchases power and energy from NSPW under a power sales agreement dated November 25, 1986, as amended on June 17, 1987, and May 16, 1994. The 1986 agreement as amended is superseded by the amended and restated agreement. NSPW submitted a Certificate of Concurrence on behalf of the Village of Cadott.

B. A Power and Energy Supply Agreement by and between the City of Spooner, Wisconsin, and NSPW dated July 28, 1995. The City of Spooner currently purchases power and energy from NSPW under a firm power service resale agreement dated May 2, 1978, which is superseded by the new agreement. NSPW submitted a Certificate of Concurrence on behalf of the City of Spooner.

C. An Amended and Restated Power and Energy Supply Agreement by and between the City of Bloomer, Wisconsin, and NSPW dated August 9, 1995. The City of Bloomer currently purchases power and energy from NSPW under a power and energy supply agreement dated March 1, 1993, as amended on May 25, 1994. The 1992 agreement as amended is superseded by the amended restated agreement. NSPW submitted a Certificate of Concurrence on behalf of the City of Bloomer.

NSPW requests an effective date of September 1, 1995 for all three agreements. NSPW states that under these new agreements, the Village of Cadott, City of Spooner and City of Bloomer will be entitled to discounts from NSPW's currently effective W-1 rate and that such discounts are being offered to all of its wholesale electric customers. Each of the agreements contains a provision allowing the customer to obtain a negotiated rate upon two years prior notice.

A copy of the filing was served upon the Village of Cadott, City of Spooner, City of Bloomer and the State of Wisconsin Public Service Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

9. Cinergy Services, Inc.

[Docket No. ER95-1641-000]

Take notice that on August 29, 1995, Cinergy Services, Inc. (CIN), tendered for filing on behalf of its operating companies, The Cincinnati Gas & Electric Company (CG&E) and PSI Energy, Inc. (PSI), an Interchange Agreement, dated July 1, 1995, between CIN, CG&E, PSI and Kimball Power Company (KPC).

The Interchange Agreement provides for the following service between CIN and KPC:

1. Exhibit A—Power Sales by KCP
2. Exhibit B—Power Sales by CIN

CIN and KPC have requested an effective date of September 1, 1995.

Copies of the filing were served on Kimball Power Company, the Texas Public Utility Commission, the Kentucky Public Service Commission, Public Utilities Commission of Ohio and the Indiana Utility Regulatory Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

10. Niagara Mohawk Power Corporation

[Docket No. ER95-1642-000]

Take notice that on August 29, 1995, Niagara Mohawk Power Corporation (Niagara Mohawk), tendered for filing an agreement between Niagara Mohawk and Engelhard Power Marketing (Engelhard) dated August 23, 1995 providing for certain transmission services to Engelhard.

Copies of this filing were served upon Engelhard and the New York State Public Service Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

11. Boston Edison Company

[Docket No. ER95-1643-000]

Take notice that on August 29, 1995, Boston Edison Company (Edison), tendered for filing a Service Agreement and Appendix A under Original Volume No. 6, Power Sales and Exchange Tariff (Tariff) for PECO Energy Company (PECO). Boston Edison requests that the Service Agreement become effective as of June 1, 1995.

Edison states that it has served a copy of this filing on PECO and the Massachusetts Department of Public Utilities.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

12. Boston Edison Company

[Docket No. ER95-1644-000]

Take notice that on August 29, 1995, Boston Edison Company (Edison), tendered for filing a Service Agreement and Appendix A under Original Volume No. 6, Power Sales and Exchange Tariff (Tariff) for North American Energy Conservation, Inc. (NAEC). Boston Edison requests that the Service Agreement become effective as of October 29, 1995.

Edison states that it has served a copy of this filing on NAEC and the Massachusetts Department of Public Utilities.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

13. Northern States Power Company (Minnesota), Northern States Power Company (Wisconsin)

[Docket No. ER95-1645-000]

Take notice that on August 29, 1995, Northern States Power Company-Minnesota (NSP-M) and Northern States Power Company-Wisconsin (NSP-W) jointly tendered and request the Commission to accept two Transmission Service Agreements which provide for Limited and Interruptible Transmission Service to Utility-2000 Energy Corporation.

NSP requests that the Commission accept for filing the Transmission Service Agreements effective as of September 27, 1995. NSP requests a waiver of the Commission's notice requirements pursuant to Part 35 so the Agreements may be accepted for filing effective on the date requested.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

14. Appalachian Power Company

[Docket No. ER95-1646-000]

Take notice that on August 29, 1995, Appalachian Power Company (APCO), tendered for filing a proposed amendment to its Electric Service Agreement with the City of Radford, Virginia (Radford), Rate Schedule FERC No. 122. The proposed amendment will establish an Economic Development Electric Power Billing Credit for Radford that would provide Radford with an opportunity to offer an economic incentive for development of new industries and/or expansion of existing industries in its service area.

APCO proposes an effective date of November 1, 1995, and states that copies of the filing were served upon the affected customer and the Virginia State Corporation Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

15. PECO Energy Company

[Docket No. ER95-1647-000]

Take notice that on August 29, 1995, PECO Energy Company (PECO), filed a Service Agreement dated August 17, 1995, with Public Service Electric and Gas Company (PSE&G) under PECO's FERC Electric Tariff Original Volume No. 1 (Tariff). The Service Agreement

adds PSE&G as a customer under the Tariff.

PECO requests an effective date of August 17, 1995, for the Service Agreement.

PECO states that copies of this filing have been supplied to PSE&G and to the Pennsylvania Public Utility Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

16. Southern California Edison Company

[Docket No. ER95-1648-000]

Take notice that on August 28, 1995, Southern California Edison Company (Edison), tendered for filing an amendment to its Interruptible Transmission Service Agreements not amended under the Settlement Agreement in FERC Docket No. ER94-1421-000.

The Amendment sets forth the terms and conditions by which Edison will provide customers with Non-Priority and Priority interruptible transmission service.

Copies of this filing were served upon the Public Utilities Commission of the State of California and all interested parties.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

17. Cinergy Services, Inc.

[Docket No. ER95-1649-000]

Take notice that on August 29, 1995, Cinergy Services, Inc. (CIN), tendered for filing on behalf of its operating companies, The Cincinnati Gas & Electric Company (CG&E) and PSI Energy, Inc. (PSI), an Interchange Agreement, dated July 17, 1995, between CIN, CG&E, PSI and Heartland Energy Services, Inc. (HES).

The Interchange Agreement provides for the following service between CIN and HES.

1. Exhibit A—Power Sales by HES
2. Exhibit B—Power Sales by CIN

CIN and HES have requested an effective date of September 1, 1995.

Copies of the filing were served on Heartland Energy Services, Inc., the Public Service Commission of Wisconsin, the Kentucky Public Service Commission, Public Utilities Commission of Ohio and the Indiana Utility Regulatory Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

18. Wisconsin Electric Power Company

[Docket No. ER95-1650-000]

Take notice that on August 28, 1995, Wisconsin Electric Power Company (Wisconsin Electric), tendered for filing an amendment of its filing of pro forma network and point to point transmission tariffs. The amendment corrects several pages that were inadvertently submitted for another proceeding as well as corrects a photocopying error.

Wisconsin Electric renews its requested effective date of August 1, 1995.

Copies of the filing have been served on the service list maintained in Docket Nos. ER94-1625, *et al.*

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

19. Wisconsin Electric Power Company

[Docket No. ER95-1652-000]

Take notice that on August 30, 1995, Wisconsin Electric Power Company (Wisconsin Electric), tendered for filing an Electric Service Agreement and a Transmission Service Agreement between itself and Tennessee Power Company (TPCO). The Electric Service Agreement provides for service under Wisconsin Electric's Coordination Sales Tariff. The Transmission Service Agreement allows TPCO to receive transmission service under Wisconsin Electric's FERC Electric Tariff, Original Volume 1, Rate Schedule T-1.

Wisconsin Electric requests an effective date of sixty days from date of filing. Copies of the filing have been served on TPCO, the Public Service Commission of Wisconsin and the Michigan Public Service Commission.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

20. The Montana Power Company

[Docket No. ER95-1653-000]

Take notice that on August 30, 1995, The Montana Power Company (Montana), tendered for filing with the Federal Energy Regulatory Commission pursuant to 18 CFR 35.12, as an initial rate schedule, a Unit Contingent Capacity and Associated Energy Sales Agreement between Montana and Heartland Energy Services (Heartland).

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

21. Louis E. Buck, Jr.

[Docket No. ID-2913-000]

Take notice that on August 28, 1995, Louis E. Buck, Jr. (Applicant) tendered for filing a supplemental application under Section 305(b) of the Federal

Power Act to hold the following positions:

Vice President, Chief Accounting Officer and Assistant Secretary, Arkansas Power & Light Company

Vice President, Chief Accounting Officer and Assistant Secretary, Gulf States Utilities Company

Vice President, Chief Accounting Officer and Assistant Secretary, Louisiana Power & Light Company

Vice President, Chief Accounting Officer and Assistant Secretary, Mississippi Power & Light Company

Vice President, Chief Accounting Officer and Assistant Secretary, New Orleans Public Service Inc.

Vice President and Chief Accounting Officer, System Energy Resources, Inc.

Comment date: September 18, 1995, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the

Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95-22688 Filed 9-12-95; 8:45 am]

BILLING CODE 6717-01-P

Notice of Issuance of Decisions and Orders During the Office of Hearings and Appeals Week of June 5 through June 9, 1995

During the week of June 5 through June 9, 1995 the decisions and orders summarized below were issued with respect to appeals and applications for other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeal

Richard M. Ross, 6/8/95, VFA-0041

Richard M. Ross filed an Appeal from a determination issued by the Oakland Operations Office (Oakland) of the Department of Energy in response to a request from him under the Freedom of Information Act (FOIA). Ross sought copies of records concerning past and present employment of nine identified DOE employees. In considering this Appeal, the DOE found that certain aspects of the search conducted by Oakland were inadequate and that Oakland had improperly withheld certain records concerning the private employment history of DOE employees pursuant to Exemption 6 of the FOIA. Accordingly, the Appeal was granted in part.

Rocky Flats Field Office, 6/5/95, VSO-0015

An Office of Hearings and Appeals Hearing Officer issued an opinion under 10 C.F.R. part 710 concerning the

continued eligibility of an individual for access authorization. After considering the testimony at the hearing convened at the request of the individual and all other information in the record, the Hearing Officer found that the individual has been a user of alcohol habitually to excess and that the diagnosis by a board-certified psychiatrist that the individual was suffering from alcohol abuse was based upon essentially undisputed facts. The Hearing Officer also found that the individual had failed to present sufficient evidence of rehabilitation, reformation or other factors to mitigate the derogatory information under 10 C.F.R. 710.8(j). In particular, the Hearing Officer found that the individual had consumed excessive amounts of alcohol at least twice during the period of time that he claimed that his drinking was under control. Accordingly, the Hearing Officer recommended that the individual's access authorization, which had been suspended, should not be restored.

Refund Application

Texaco Inc./Joe Long's Texaco, 6/7/95 RF321-21065

The Department of Energy (DOE) issued a Decision and Order (D&O) rescinding a refund that had been granted to Joe Long's Texaco. The refund was rescinded and the funds ordered redeposited into the Texaco escrow account because the DOE was unable to locate Mr. Long.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Atlantic Richfield Company/Motor Freight Express et al	RF304-12216	06/07/95
Borough of Highland Park et al	RF272-97500	06/07/95
Gulf Oil Corporation/Howe Oil Company, Inc.	RF300-20421	06/07/95
Gulf Oil Corporation/South Bay Gulf	RF300-13963	06/07/95
Texaco Inc./Field's Texaco Service et al	RF321-220	06/07/95
Texaco Inc./Fruitwood Texaco et al	RF321-4975	06/07/95
Texaco Inc./W.C. Hancock	RF321-20458	06/09/95

Dismissals

The following submissions were dismissed:

Name	Case No.
Albuquerque Operations Office	VSO-0025
Atchison, Topeka & Santa Fe Railway	RF304-13208
Bill's Texaco	RF321-20534
Enchanted Oaks Texaco	RF321-6691
Herb's Texaco & Repair Shop	RF321-20108
Hyde Park Super Service Station	RF321-20848
Monte Sweet's Self Service	RF321-11320